

Message Text

UNCLASSIFIED

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17

ACTION H-02

INFO OCT-01 AF-08 ISO-00 SS-15 OC-06 CCO-00 SSO-00 SCSE-00

EUR-12 /044 W

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O 081015Z JUL 76

FM AMEMBASSY LOME

TO AMCONSUL PALERMO IMMEDIATE

INFO SECSTATE WASHDC IMMEDIATE 855

UNCLAS LOME 1485

E.O. 11652: N/A

TAGS: CDES, IT, TO, (REITANO, SEBASTIANO)

SUBJECT: MISROUTING OF CONGRESSIONAL CORRESPONDENCE

REF: STATE 163699

1. LATE AFTERNOON JULY 7 THIS POST RECEIVED UNCLASSIFIED POUCH ITEM MARKED "AMERICAN EMBASSY LOME" WHICH CONTAINED OPERATIONS MEMORANDUM DATED JUNE 23 ADDRESSED TO AMCONSUL PALERMO. PERTINENT PORTIONS OM AND TEXT OF ITS TWO ENCLOSURES REPRODUCED BELOW; FORWARDING ORIGINAL OM AND ENCLOSURES TO PALERMO VIA AIR POUCH JULY 11.

2. OM READS IN PART: "OFFICE OF SPECIAL CONSULAR SERVICES HAS RECEIVED ENCLOSED COMMUNICATION WHICH IS FORWARDED TO YOU FOR APPROPRIATE AND PROMPT REPLY TO SENATOR EDWARD M. KENNEDY, WITH COPY TO SCS."

3. ENCLOSURE ONE ON U.S. SENATE LETTERHEAD DATED JUNE 6, 1976 IS DATE-STAMPED JUNE 10 AND IS ADDRESSED TO OFFICE OF CONGRESSIONAL RELATIONS, DEPARTMENT OF STATE:
"BECAUSE OF DESIRE OF THIS OFFICE TO BE RESPONSIVE TO ALL INQUIRIES AND COMMUNICATIONS, YOUR CONSIDERATION OF ATTACHED IS REQUESTED. YOUR FINDINGS AND VIEWS, IN DUPLICATE FORM, ALONG WITH RETURN OF ENCLOSURE, WILL BE APPRECIATED BY (SIGNED) EDWARD M. KENNEDY."

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4. SECOND ENCLOSURE DATED JUNE 1, 1976 IS ON LETTERHEAD

READING "LANE, CLOSE AND ORLANDO, ATTORNEYS AT LAW. 703-708
CREGG BUILDING, 46 AMESBURY STREET, LAWRENCE, MASSACHUSETTS
01840. AREA CODE 617-683-2497, 683-2498, 688-7300. ENCLOSURE
ADDRESSED TO SENATOR KENNEDY AT HIS BOSTON ADDRESS,
ATTENTION: DONALD WYNNE. LETTER READS AS FOLLOWS:

"DEAR MR. WYNNE:

IN ACCORDANCE WITH OUR TELEPHONE CONVERSATION OF LAST WEEK I
AM WRITING TO REQUEST THE ASSISTANCE OF SENATOR KENNEDY IN
CONNECTION WITH THE ESTATE OF SEBASTIANO REITANO WHO DIED IN
ITALY IN 1971.

FOR THE PAST FIVE YEARS MY CLIENT, SAMUEL A. REITANO, THE SON
AND ONLY BENEFICIARY OF THE DECEDENT'S WILL, HAS BEEN TRYING TO
OBTAIN THE CONTENTS OF A SAFE DEPOSIT BOX IN THE BANK D'AMERICA
D'ITALIA IN CATANIA, AT THE TIME OF THE DECEDENT'S DEATH. THIS
BOX CONTAINED AMONG OTHER VALUABLES, TWO CERTIFICATES FOR TEN
SHARES EACH OF BRUSH BERYLLIUM CO. STOCK, BANK NOTES TOTALLING
\$276.00 AND SIX AMERICAN TREASURY BONDS IN THE TOTAL FACE AMOUNT
OF \$22,000. IN NOVEMBER 1974 SAID BANK TURNED OVER THE BOX CONTENTS
TO AVV. MICHELE CATANZARO OF CATANIA. MR. CATANZARO IS ALSO MY
CLIENT'S ATTORNEY.

THE PROBLEM IS THAT MR. CATANZARO IS UNWILLING TO SEND THE
BOX CONTENTS TO MY CLIENT BECAUSE MR. CATANZARO IS AFRAID
THAT HE WILL BE LIABLE FOR THE PAYMENT OF DEATH DUTIES IF ANY
ARE IMPOSED BY THE ITALIAN TAX OFFICE. MR. CATANZARO HAS
NOTIFIED THE ITALIAN TAX OFFICE THAT HE DOES NOT BELIEVE ANY
DEATH DUTIES SHOULD BE PAID BECAUSE THE DECEDENT WAS A U.S.
CITIZEN AT THE TIME OF DEATH AND HIS LEGAL RESIDENCE WAS THE
UNITED STATES EVEN THOUGH THE DECEDENT HAD BEEN LIVING IN
ITALY FOR A NUMBER OF YEARS PRIOR TO HIS DEATH. MR. CATANZARO
HAS BEEN UNABLE TO OBTAIN A RULING FROM THE ITALIAN
TAX OFFICE AS TO WHETHER ANY DEATH DUTIES PAYMENT WILL BE RE-
QUIRED. SO MATTERS ARE AT AN IMPASSE.

THE ITALIAN CONSULATE IN BOSTON HAS INFORMED ME THAT THE
AMERICAN CONSULATE IN PALERMO, ITALY COULD PROBABLY OBTAIN QUICK
ACTION IF IT CONTACTED THE ITALIAN TAX OFFICE DIRECTLY ON THIS
MATTER. THE AMERICAN CONSULATE HAS BEEN PREVIOUSLY HELPFUL
IN OBTAINING STATUS REPORTS FOR ME FROM MR. CATANZARO SINCE HE
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HAS BEEN SLOWLY ANSWERING MY REQUESTS FOR INFORMATION. MY CLIENT
AND I RESPECTFULLY REQUEST THAT YOUR OFFICE ASK THE AMERICAN
CONSULATE TO SPEAK OR TO WRITE TO THE ITALIAN TAX OFFICE FOR AN
EXPEDITIOUS RULING ON THE DEATH DUTIES QUESTION.

YOUR CONTINUING ASSISTANCE AND CONSIDERATION ARE MUCH
APPRECIATED. VERY TRULY YOURS,
(SIGNED) RENO J. ORLANDO UNQUOTE. RAWLS

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